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From-MARTIN&amp;FERRAROLLP

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## FACSIMILE TRANSMITTAL

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Certificate

JUL 27 2006

Name: Office of Publications  
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Name: Thomas H. Martin

of Correction

Firm: U.S. Patent &amp; Trademark Office

Phone No.: 330-877-2277

Fax No.: 571-273-8300

No. of Pages (including this): 6

Subject: Request for Certificate of Correction

Date: July 20, 2006

U.S. Patent No. 7,051,417

Issued: May 30, 2006

Gary K. Michelson

METHOD FOR FORMING AN ORTHOPEDIC

IMPLANT SURFACE CONFIGURATION

Attorney Docket No.: 101.0094-02000

Customer No. 22882

Confirmation Copy to Follow: No

## Message:

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Request for Certificate of Correction with 1 sheet of Form PTO-1050 (in duplicate) and 2 sheets of supporting documents are being facsimile transmitted to the U.S. Patent and Trademark Office on July 20, 2006.

  
Sandra L. Blackmon

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JUL 20 2006

PATENT  
Attorney Docket No. 101.0094-02000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of: )  
Gary K. Michelson ) (Serial No.: 10/808,852)  
Patent No.: 7,051,417 )  
Issue Date: May 30, 2006 ) (Filed: March 25, 2004)  
For: METHOD FOR FORMING AN )  
ORTHOPEDIC IMPLANT )  
SURFACE CONFIGURATION )

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CERTIFICATE OF CORRECTION**

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322, this is a request for the issuance of a Certificate of Correction in the above-identified patent. Two (2) copies of PTO Form 1050 are appended. The complete Certificate of Correction involves one (1) page.

The mistakes identified in the appended Form occurred through the fault of the Patent Office, as clearly disclosed by the records of the application which matured into this patent, and as evidenced in the attached copies of the following documents:

1. Page 5 of the October 14, 2005 Amendment, showing the correct language of issued claim 15; and
2. Page 7 of the October 14, 2005 Amendment, showing the correct language of issued claim 22 (pending claim 30).

Issuance of the Certificate of Correction containing the correction is earnestly requested.

Respectfully submitted,  
MARTIN & FERRARO, LLP

Dated: July 20, 2006By: 

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JUL 28 2006

PTO/SB/44 (04-05)  
(Also Form PTO-1050)UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 7,051,417  
APPLICATION NO. : 10/808,852  
ISSUE DATE : May 30, 2006  
INVENTOR(S) : Gary K. Michelson

Page 1 of 1

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 13, line 21:

Change "and being" to -- and converging toward one another, said opposed side facets being --.

Column 14, lines 8-10:

Rewrite to read as follows: -- includes forming said side facets converging toward one another to form a peak proximate the second location. --.

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PATENT NO. 7,051,417

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PATENT NO. 7,051,417

JUL 28 2006

Application No. 10/808,852  
Amendment dated October 14, 2006

13. (original) The method of claim 1, wherein the step of forming includes forming at least four surface projections having the first facet configuration along the first line and forming at least four surface projections having the second facet configuration along the second line.
14. (original) The method of claim 1, wherein the step of forming includes forming at least five surface projections having the first facet configuration along the first line and forming at least five surface projections having the second facet configuration along the second line.
15. (currently amended) A method for forming an interbody orthopedic implant having a plurality of surface projections adapted for contact with bone, including adjacent bones and bone portions, the method comprising the steps of:
  - providing the implant comprising a leading end for introduction of the orthopedic implant into the bone, an opposite trailing end, and spaced apart sides therebetween, opposite upper and lower surfaces between said leading and trailing ends and said spaced apart sides, an exterior surface between said leading and trailing ends and said spaced apart sides; and
  - forming a plurality of surface projections as part of the exterior surface of the implant, each of the surface projections having a base, at least two of the surface projections each having at least one forward facet directed at least in part toward the leading end and at least one rearward facet directed at least in part toward the trailing end, said rearward facet terminating at a first location proximate the base, said rearward facet terminating at a second location proximate said forward facing facet, the first location being closer to the leading end of the implant than the second location, each of said at least two surface projections being formed to have opposed side facets extending from the base and converging toward one another, said opposed side facets~~and~~ being directed generally toward said spaced apart sides of the implant, respectively, said side facets being located between said forward facet and said rearward facet of each of said at least two surface projections.

Application No. 10/808,852  
Amendment dated October 14, 2005

- hydroxyapatite, and genes coding for the production of bone. .
26. (original) The method of claim 24, wherein the step of providing the implant includes providing an implant having an internal chamber in communication with the at least two openings in said exterior surface, the internal chamber being adapted to contain bone growth promoting materials.
27. (original) The method of claim 26, further comprising the step of combining the implant with at least one of harvested bone, bone morphogenetic proteins, hydroxyapatite, and genes coding for the production of bone.
28. (original) The method of claim 15, wherein the step of forming the plurality of surface projections includes using a milling instrument.
29. (original) The method of claim 28, wherein the milling instrument includes a cutting tool with a V-shaped profile.
30. (new) The method of claim 15, wherein the step of forming includes forming said side facets converging toward one another to form a peak proximate the second location.

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